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9. *(currently amended)* The device of claim 8 wherein the ~~insulator layer~~ upper and lower cladding regions each comprises a layer of SiN.

10. *(original)* The device of claim 8 wherein the top and bottom metal contact layers comprise Ti/Pt/Au.

11. *(currently amended)* The device of claim 8 wherein the pair of laser facets comprise coatings include including an inner layer of SiO<sub>2</sub> and an outer layer of Ti/Au and Ge/Au/Ag/Au, respectively.

#### *Remarks*

Reconsideration of rejected claims 8-11 is respectfully requested.

In the Office action dated July 14, 2003 (application Paper No. 9), the Examiner rejected all pending claims under 35 USC § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter of the present invention.

In response, applicants have amended claim 8, as shown above, to more distinctly define the subject matter of a "unipolar quantum cascade laser", as discussed in the present specification - with particular reference to page 4, discussing the particular structure of the inventive QC laser as including a "stripe". The Examiner is also referred to US Patent 6,055,2567, issued to the assignee of the present application, for a complete description of a QC laser structure. Indeed, the present invention is particularly directed to a QC laser device "configured to provide a measurement of intersubband electroluminescence", as defined by amended claim 8. As shown in FIG. 1, a "longitudinal cleave" is formed along the "stripe" to allow ISB-EL to "exit from the exposed QC active region" (the laser facets being coated with an HR material).

Inasmuch as claim 8 has been amended to clarify the subject matter of the present invention, it is believed that each of the Examiner's particular rejections under 35 USC 112, second paragraph has been appropriately addressed and overcome. Applicants thus believe that the case, in its present form, is in condition for allowance and respectfully

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request an early and favorable response from the Examiner in that regard. If for some reason or other the Examiner does not agree that the case is ready to issue and that an interview or telephone conversation would further the prosecution, the Examiner is invited to contact applicants' attorney at the telephone number listed below.

Respectfully submitted,

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